

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Irrigation & C.A.D. Department – Non submission of work bills by Sri A.L.N.Murthy, Assistant Engineer towards outstanding advances in SMI Sub Division, Chintapalli of SMI Division Paderu - Departmental Enquiry conducted under Rule 20 of A.P.C.S. (CC & A) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 – Imposed a penalty of 5% cut in pension permanently besides recovery of Rs. 3,44,904/- with penal interest on Sri A.L.N. Murthy, Assistant Engineer (Retired) - Orders – Issued.

IRRIGATION & CAD [VIG.I] DEPARTMENT

G.O.MS.No. 25

Dated.26.02.2015

Read the following:

- 1) From the ENC Progs. No.S2/13370/99-4, dt.4.10.1999
- 2) From the ENC Memo No.S2/13370/99-5, dt.28.8.2000
- 3) From Sri ALN Murthy, AE, Representation dt.5.11.2008.
- 4) Progs No.ENC.S2/13370/99-7, dated 29.10.2011.
- 5) From the ENC (AW), Lr.No.Rc/ENC/SI(1)/13370/1999, dt.14.09.2006.
- 6) From the ENC, Memo No.Rc/ENC/SI(1)/13370/1999, Dated 21.4.2010.
- 7) From Sri ALN Murthy, AE, Representation dt 6.7.2013
- 8) Govt. Memo No.26940/Ser.IV/A2/06-12, dt.3.8.2013
- 9) From the Secy.APPSC,Lr.No.785 /RTI/ 2/06, dated 9.3.2007
- 10) From the ENC, Lr.Rc/ENC/SI(1)/13370/99, dt.3.4.2014
- 11) Govt.Lr.No.26940/Vig-1/A1/2006-14, dat3d 20.01.2015.
- 12) From the Secy.APPSC,Lr.No.1350 /RT/3/2014, dated 13.2.2015

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In the reference 1st read above, departmental action has been initiated against Sri A.L.N.Murthy, Assistant Engineer, as he failed to submit bills towards the outstanding advance pending against him in respect of some works executed in SMI Sub-Division, Chintapalli of SMI Division, Paderu. He has not rendered monthly 7F accounts and T&P returns since 26.09.94. He was placed under suspension in public interest. The suspension order was served on the Asst. Engineer on 28.10.1999.

2. In the reference 2nd read above, Articles of Charges were issued to Sri A.L.N. Murthy, Asst. Engineer (Retd) for the above irregularities. In the reference 3rd read above, the Assistant Engineer has submitted his replies to the articles of charges and he has stated that out of the advance of Rs,6,11,636/- drawn by him an amount of Rs.2,06,052/- was given to village level committees as advances in shape of cheques for execution of three works. Further he has stated that an amount of Rs.43,000/- was received by Sri KVV Satynarayana, previous Asst. Engineer towards the work "construction of Diversion structure at hill stream at Theegalametta" and also stated that the advances pending against him towards the remaining six works were utilised. The AE was reinstated into service and he was posted in Irrigation Circle, Visakhapantam in the reference 4th read above.

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3. In the reference 5th read above, Sri U.Narayana Raju, Superintending Engineer, TTPR Circle, Vizianagaram as Inquiring Authority has submitted Inquiry Report stating that several items of work in respect of certain works could not be accounted for want of check measurement and sanction of works slips. But the AE has not furnished any written statement and any proof to substantiate his argument in spite of giving ample opportunities to him and the AE has not submitted any work bills even after reminding him telegraphically, personally and over phone and the AE has not submitted the initial account such as 7F Account etc. and he has no option except confirming the recovery of Rs.6,11,636/- from the AE and recovery of Rs.4,000/- per month from him continued till the entire amount is recovered.

4. In the reference 6th read above, a copy of the Inquiry Report of the Inquiring Authority was communicated to Sri A.L.N. Murthy, Asst. Engineer, (Retd) inviting his explanation if any on the findings of the Inquiring Authority.

5. In the reference 7th read above, Sri A.L.N. Murthy, Assistant Engineer in his explanation, while denying the findings of the Inquiring Authority, has requested not to impose any punishment like cut in pension and not to recover any extra amount (except Rs.6,11,636-Rs.538,800 = Rs.72,836/-).

6. After careful examination of the explanation submitted by Sri A.L.N.Murthy, Assistant Engineer (Retd.), Government have decided to accept the findings of the Inquiring Authority and to impose a penalty of withholding 5% cut in pension permanently besides recovery of Rs.6,11,636/- on Sri ALN Murthy, Assistant Engineer (Retd.). Accordingly, while enclosing a copy of the representation dated 06.07.2013 of Sri ALN Murthy, AE (Retd), the ENC (AW) has been requested to offer his specific remarks on the points raised by the Charged Officer therein vide reference 8th read above.

7. In the reference 9th read above, the Secretary, A.P. Public Service Commission has informed that the proposal is not feasible for implementation as the charged officer is retiring shortly and he has requested to send a revised proposal.

8. In the reference 10th read above, the Engineer -in-Chief (AW) has discussed with the Superintending Engineer, Irrigation Circle, Visakhapatnam and the Executive Engineer, SMI Division, Visakhapatnam in connection with the finalization of the claims of Sri ALN Murthy, AE (Retd) and effecting the recoveries, the final outstanding amount from Sri ALN Murthy AE, (Retd) is (Rs.6,11,636 – Rs.2,66,732) Rs.3,44,904/-.

9. In the reference 11th read above, the Secretary (FAC), A.P. Public Service Commission was requested to obtain concurrence on the proposal of the Government to impose a penalty of withholding 5% cut in pension permanently on Sri ALN Murthy, Assistant Engineer (Retd.) besides recovery of Rs.3,44,904/- with penal interest while working in SMI Sub-Division, Chintapalli of SMI Division, Paderu.

10. In the reference 12th read above, the Secretary (FAC) A.P. Public Service Commission has agreed with the proposal of the Government, to impose the punishment of 5% cut in pension permanently, besides recovery of Rs.3,44,904/- with penal interest on Sri A.L.N. Murthy, Assistant Engineer (Retired).

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11. Government, after careful examination of the matter, have decided to confirm the provisional decision i.e. to impose a penalty of 5% cut in pension permanently besides recovery of Rs.3,44,904/- with penal interest on Sri A.L.N. Murthy, Assistant Engineer (Retd). Accordingly, Government hereby order to impose a penalty of 5% cut in pension permanently besides recovery of Rs.3,44,904/- with penal interest on Sri A.L.N.Murthy, Assistant Engineer (Retd.), while working in SMI Sub-Division, Chintapalli of SMI Division, Paderu.

12. The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad shall take further necessary action in the matter, accordingly and acknowledge the receipt of this order.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri A.L.N.Murthy, Assistant Engineer (Retd)
earlier worked in SMI Sub-Division,Chintpalli of SMI Division,
Paderu through the ENC (AW), I&CAD Dept.,
The Engineer-in-Chief (AW),I &CAD Deptt. Hyderabad
(with a request to submit the dated acknowledgement
to Government, without delay)

Copy to:

The Accountant General (A&E), Andhra Pradesh, Hyderabad.
The Secretary to Vigilance Commissioner, APVC, Hyderabad.
The Secretary (FAC), A.P. Public Service Commission, Hyderabad.
SF/SCs.

// FORWARDED BY ORDER //

SECTION OFFICER